

REMARKS

By this Amendment, non-elected claims 1-21 are cancelled, and claim 22 is amended. Claims 23-46 remain in the application. Thus, claims 22-46 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

In item 2 on page 2 of the Office Action, claims 22-23, 25-29, 31-36, 40-43 and 45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maruyama et al. (U.S. 6,136,133) in view of Ohno et al. (U.S. 6,613,170).

Without intending to acquiesce to this rejection, independent claim 22 has been amended to more clearly illustrate the differences between the present invention and the applied references. Accordingly, the Applicants respectfully submit that the present invention is clearly patentable over the applied references for the following reasons.

The present invention provides a manufacturing method for an optical data recording medium. The manufacturing method of the present invention comprises preparing a first substrate, and coating the first substrate with a radiation curable resin. Furthermore, the method comprises curing the radiation curable resin in part, and preparing a second substrate having a groove or lands and pits on one side.

In addition, the method of the present invention comprises disposing a resin material to the side of the second substrate having the groove or the lands and pits, and laminating the radiation curable resin of the first substrate and the resin material of the second substrate together after the radiation curable resin is partially cured.

Accordingly, the present invention thus provides that the radiation curable resin coated on the first substrate is partially cured before the radiation curable resin of the first substrate and the resin material of the second substrate are laminated together.

Claim 22 recites this novel feature of the present invention. In particular, the method of claim 22 is recited as comprising coating the first substrate with a radiation curable resin, curing the radiation curable resin in part, and laminating the radiation curable resin of the first substrate and the resin material of the second substrate together after the radiation curable resin is partially cured.

As acknowledged by the Examiner on page 2 of the Office Action, Maruyama et al. fails to disclose or suggest an operation of partially curing a radiation curable resin.

To teach this feature, the Examiner applied Ohno et al. However, as also acknowledged by the Examiner on page 4 of the Office Action, Ohno et al. does not disclose or suggest that partially curing the radiation curable resin is performed before the radiation curable resin of the first substrate and the resin material of the second substrate are pressed together.

As described above, claim 22 has been amended to recite that the radiation curable resin of the first substrate and the resin material of the second substrate are laminated together after the radiation curable resin is partially cured. As acknowledged by the Examiner on page 4 of the August 1, 2005 Office Action, Ohno et al. similarly does not disclose or suggest that the radiation curable resin of the first substrate and the resin material of the second substrate are laminated together after the radiation curable resin is partially cured.

Accordingly, the Applicants respectfully submit that claim 22 is clearly patentable over Maruyama et al. and Ohno et al. since Maruyama et al. and Ohno et al. clearly fail to disclose or suggest each and every limitation of claim 22.

However, on page 4 of the Office Action, the Examiner asserted that if claim 22 were amended to positively recite that the radiation curable resin of the first substrate and the resin material of the second substrate are pressed together after the radiation curable resin is partially cured, Maruyama et al. in view of Amo (U.S. 5,888,433) would render this limitation obvious. In item 3 on page 3 of the Office Action, claims 22-36, 40-43 and 45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maruyama et al. in view of Amo (U.S. 5,888,433). This rejection is respectfully traversed for the following reasons.

Amo discloses a placing step before the partial curing of the resin (see Column 7, lines 7-9, 34-41 and 63-67, and Figures 7(A) and 7(B)), and two disk substrates D1 and D2 are already attached before the placing step (see Column 7, lines 7-20 and Figure 6(A)). Thus, Amo discloses that the partial curing of a resin is performed after the two disk substrates D1 and D2 are attached together.

However, on page 4 of the Office Action, the Examiner opined that “a step of *pressing* the radiation curable resin together with the two substrates after partially curing is not excluded by Amo” (emphasis in original). In support of this proposition, the

Examiner referred to Column 8, lines 26-35 of Amo. For the following reasons, the Applicants respectfully submit that the Examiner's modification of Amo is not supported by the disclosure of Amo and would vitiate a stated object of Amo, which is preventing the misalignment of substrates that are laminated together.

As disclosed in Column 8, lines 26-35 of Amo, an excessive force applied to the substrates D1 and D2 may include not only a force to remove the disc-shaped substrate from the center boss but also a force applied to laminate substrates D1 and D2 together. However, the advantage of partially curing in Amo is preventing the misalignment of substrates that are laminated together with resin material. Laminating the substrate together after partially curing does not produce such an advantage.

Therefore, the timing of partially curing the resin material after laminating is critical. Amo neither discloses or suggests any motivation to change the timing of partially curing the resin material before the laminating step.

Accordingly, the Applicants respectfully submit that Amo does not disclose or suggest that the radiation curable resin of the first substrate and the resin material of the second substrate are laminated together after the radiation curable resin is partially cured, as recited in claim 22.

Therefore, the Applicants respectfully submit that Amo does not cure the deficiencies of Maruyama et al. and Ohno et al. for failing to disclose or suggest each and every limitation of claim 22.

Consequently, no obvious combination of Maruyama et al. and Amo, as well as Ohno et al., would result in the invention of claim 22 since Maruyama et al., Amo and Ohno, either individually or in combination, do not disclose or suggest that the radiation curable resin of the first substrate and the resin material of the second substrate are laminated together after the radiation curable resin is partially cured, as recited in claim 22.

Therefore, claim 22 is clearly patentable over Maruyama et al. and Amo for at least the foregoing reasons.

In item 4 on page 3 of the Office Action, dependent claims 37-40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maruyama et al. in view of Amo and further in view of Ohki et al. (U.S. 5,708,652). Further, in item 5 on page 3 of the

Office Action, dependent claims 44 and 46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maruyama et al. in view of Amo and further in view of Komaki et al. (U.S. Patent Application Publication No. 2001/0053121).

As demonstrated above, Maruyama et al. and Amo, either individually or in combination, clearly fail to disclose or suggest that the radiation curable resin of the first substrate and the resin material of the second substrate are laminated together after the radiation curable resin is partially cured, as recited in claim 22.

Similarly, Ohki et al. and Komaki et al. also fail to disclose or suggest that the radiation curable resin of the first substrate and the resin material of the second substrate are laminated together after the radiation curable resin is partially cured, as recited in claim 22. Therefore, Ohki et al. and Komaki et al. fail to cure the deficiencies of Maruyama et al., Ohno et al. and Amo for failing to disclose or suggest each and every limitation of claim 22.

Because of the clear distinctions discussed above, it is submitted that the teachings of Maruyama et al., Ohno et al., Amo, Ohki et al. and Komaki et al. clearly do not meet each and every limitation of claim 22.

Furthermore, it is submitted that the distinctions discussed above are such that a person having ordinary skill in the art at the time the invention was made would not have been motivated to modify Maruyama et al., Ohno et al., Amo, Ohki et al. and Komaki et al. in such a manner as to result in, or otherwise render obvious, the present invention as recited in claim 22.

Therefore, it is submitted that the claim 22, as well as claims 23-46 which depend therefrom, are clearly allowable over the prior art as applied by the Examiner.

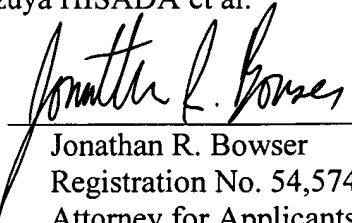
In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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